

PTO/SB/01 (08-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

Declaration  
Submitted  
With Initial  
Filing

OR

Declaration  
Submitted after Initial  
Filing (surcharge  
(37 CFR 1.16 (e))  
required)

Attorney Docket Number

72531 00001

First Named Inventor

John W. Muncaster

COMPLETE IF KNOWN

Application Number

Filing Date

Art Unit

Examiner Name

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Stress-Relieving Barrier Membrane for Concrete Slabs and Foundation Walls

(Title of the Invention)

the specification of which



is attached hereto

OR



was filed on (MM/DD/YYYY)

as United States Application Number or PCT International

Application Number

and was amended on (MM/DD/YYYY)

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

(Page 1 of 2)

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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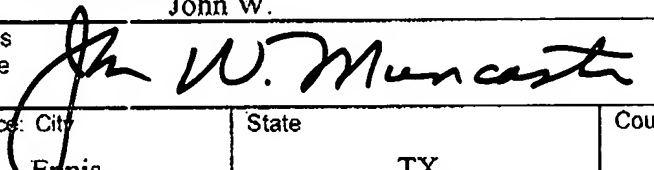
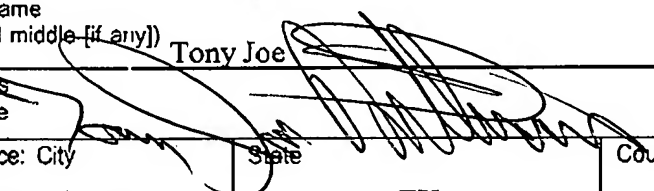
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**DECLARATION — Utility or Design Patent Application**

Direct all correspondence to: <input checked="" type="checkbox"/> Customer Number: <b>20873</b>		OR <input type="checkbox"/> Correspondence address below	
Name			
Address			
City		State	ZIP
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any)) <b>John W.</b>		Family Name or Surname <b>Muncaster</b>	
Inventor's Signature 		Date <b>2/12/04</b>	
Residence: City <b>Ennis</b>	State <b>TX</b>	Country <b>US</b>	Citizenship <b>US</b>
Mailing Address <b>P.O. Box 755</b>			
City <b>Ennis</b>	State <b>TX</b>	ZIP <b>75119</b>	Country <b>US</b>
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any)) <b>Tony Joe</b>		Family Name or Surname <b>Millican</b>	
Inventor's Signature 		Date <b>2-13-04</b>	
Residence: City <b>Waxahachie</b>	State <b>TX</b>	Country <b>US</b>	Citizenship <b>US</b>
Mailing Address <b>225 Morene</b>			
City <b>Waxahachie</b>	State <b>TX</b>	ZIP <b>75165</b>	Country <b>US</b>
<input type="checkbox"/> Additional inventors or a legal representative are being named on the _____ supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.			

72531 00001

PATENT

**POWER OF ATTORNEY**

As an official of the assignee, I hereby appoint Monty L. Ross, Registration No. 28,899, L. Dan Tucker, Registration No. 22,670; William D. Jackson, Registration No. 20,846; Roy W. Hardin, Registration No. 28,304; Martin Korn, Registration No. 28,317; David H. Judson, Registration No. 30,467; Charles E. Phipps, Registration No. 40,127; Mark R. Backofen, Registration No. 51,423; Michael W. Dubner, Registration No. 47,310; Scott Fuller, Registration No. 54,716; Kristen R. Paris, Registration No. 52,092; and Scott C. Sample, Registration No. 52,189 of the firm of LOCKE LIDDELL & SAPP LLP, as attorney with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent application filed thereon before any international authorities under the Patent Cooperation Treaty;

Send correspondence to:

Customer No. 20873

LOCKE LIDDELL & SAPP LLP  
2200 Ross Avenue, Suite 2200  
Dallas, Texas 75201-6776  
(214) 740-8519  
(214) 756-8519 (fax)

**POLYGUARD PRODUCTS, INC.**By: 

Name: John W. Muncaster

Title: President

Date: February 12, 2004**BEST AVAILABLE COPY**